



MONTANA
OWNED
AND OPERATED

TOWN PUMP INC. & AFFILIATES

LEGAL DEPARTMENT

Telephone (406) 497-6920 • Facsimile (406) 497-6706 • E-mail legal@townpump.com

Thomas E. Richardson, General Counsel
Eula Compton, Associate Counsel

Debra L. Rice, Paralegal
Dominique V. Endy, Paralegal

November 14, 2002

SDMS Document ID



2030790

Jim Christiansen
U.S. Environmental Protection Agency
501 Mineral Avenue
Libby, MT 59923

Subject: Libby Ground Water Superfund Site

Dear Mr. Christiansen—

Town Pump proposes to purchase approximately 6 acres of land located on Highway 2 East which presently belongs to Tony Berget/Universal Land, Inc. I enclose a map with the Champion water treatment facility marked in green if this will help you identify the property we're interested in. We plan to construct a gas station/convenience store on the property and clearly appreciate our own cleanup responsibilities as to any contamination originating with our operations. Our concerns are with liability for existing contamination.

We have reviewed the 1988 ROD for the Site and its findings of contamination of the soils and both the lower and upper aquifers. We are very concerned regarding our potential liability should we purchase the property and should International Paper thereafter default on its existing or any future cleanup obligations. We are therefore asking that we be released from any liability for cleanup of the existing ground water and any remaining soil contamination. As noted above, we take full responsibility for our own future operations; our request deals only with existing conditions.

You have indicated the EPA can provide something along the lines of a release or hold harmless agreement for a new purchaser. We will need such an agreement before we can proceed with the purchase. We also need your advice regarding the surviving pre-approval requirements, if any, for excavations on this particular parcel. Do we need EPA approval for construction or tank installation on the property?

Nice talking with you. We definitely appreciate your help with this.

Yours very truly,

Eula Compton



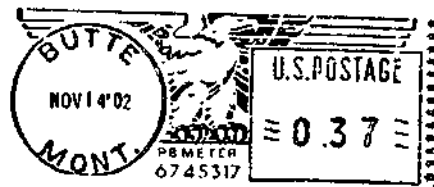
TOWN PUMP INC.
AND AFFILIATES

600 S. MAIN
P.O. BOX 6000
BUTTE, MONTANA 59702-6000
(406) 497-6700



Montana's Best
Convenience Stores

FIRST-CLASS



Jim Christiansen
U.S. Environmental Protection Agency
501 Mineral Avenue
Libby, MT 59923

59923X1957

